

City Council  
Atlanta, Georgia

AN ORDINANCE  
BY: ZONING COMMITTEE

U-02-24/U-80-70

02-0-1610

AN ORDINANCE TO AMEND ORDINANCE  
U-80-70, ADOPTED BY CITY COUNCIL  
MARCH 16, 1981 AND APPROVED BY THE  
MAYOR MARCH 21, 1981, GRANTING A  
SPECIAL USE PERMIT FOR PARKING FOR  
CHURCH, PROPERTY LOCATED AT **2435**  
**CASCADE ROAD, S.W.**, FOR THE PURPOSE  
OF APPROVING A SITE PLAN  
AMENDMENT

OWNER: HILLSIDE CHAPEL AND  
TRUTH CENTER, INC.  
APPLICANT: MICHAEL O. NDUKUBA  
NPU-I COUNCIL DISTRICT 11

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as  
follows:

SECTION 1. That Ordinance U-80-70, adopted by City Council March 16, 1981 and approved by the Mayor March 21, 1981, granting a Special Use Permit for Parking for Church, for property located at **2435 Cascade Road, S.W.**, and more particularly described by the attached legal description identified as Exhibit "A", is hereby amended by deleting the site plan entitled "Parking Lot for Hillside Chapel and Truth Center" prepared by Cavender/Kordys Associates, Inc. and marked received by the Zoning Review Board 2-12-81 and approving the site plan entitled "Grading and Drainage Plan, TOL#3" prepared by JC2N, Inc., dated May 5, 1997, last revised September 16, 1998 and marked received by the Bureau of Planning August 14, 2002 in lieu thereof.

SECTION 2. That all other conditions adopted as part of U-80-70, shown on said ordinance and attached for reference, shall remain in full force and effect.

SECTION 3. That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

C-10

## LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 201 OF THE 14<sup>TH</sup> DISTRICT OF FULTON COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH RIGHT OF WAY LINE OF CASCADE ROAD (50' R/W), THENCE ALONG THE NORTH RIGHT OF WAY LINE OF CASCADE ROAD, IN THE DIRECTION OF S 75 00'00" W A DISTANCE OF 333.4' TO AN IRON PIN FOUND; THENCE N 55 50'09" W A DISTANCE OF 93.97' TO AN IRON PIN FOUND; THENCE N 42 02'24" W A DISTANCE OF 331.63' TO AN IRON PIN FOUND; THENCE N 29 20'24" W A DISTANCE OF 376.91' TO AN IRON PIN FOUND; THENCE N 88 55'33" E A DISTANCE OF 220.14' TO AN IRON PIN FOUND; THENCE S 70 37'01" E A DISTANCE OF 455.80' TO AN IRON PIN FOUND; THENCE S 80 07'43" E A DISTANCE OF 222.68' TO A POINT; THENCE N 75 43'57" W A DISTANCE OF 78.53'; THENCE S 20 25'12" W A DISTANCE OF 64.15'; THENCE S 64 55'26" E A DISTANCE OF 198.28'; THENCE N 75 41'34" E A DISTANCE OF 174.51'; THENCE S 23 43'06" E A DISTANCE OF 301.00' TO THE POINT OF BEGINNING.

SAID TRACT OR PARCEL CONTAINS 5.54 ACRES OF LAND MORE OR LESS, AND IS MORE CLEARLY DEFINED ON SURVEY PLAT PREPARED BY JC2N, INC. AND DATED MAY 6, 1997.

TOGETHER WITH CERTAIN ACCESS EASEMENT APPURTENANT THERETO (HEREINAFTER REFERRED TO AS THE "EASEMENT"), AS MORE PARTICULARLY DESCRIBED IN THE ATTACHED EXHIBIT "A", WHICH EXHIBIT IS INCORPORATED HEREIN.

Exhibit A  
Page 1 of 2

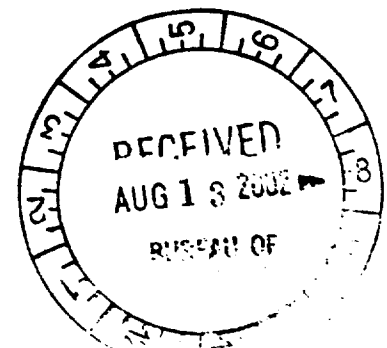


EXHIBIT "A"

LEGAL DESCRIPTION  
FOR  
INGRESS AND EGRESS EASEMENT

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 201 OF THE 14TH DISTRICT OF FULTON COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO REACH THE TRUE POINT OF BEGINNING, COMMENCE AT A POINT AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF CASCADE ROAD AND THE EAST LAND LOT LINE OF LAND LOT 201; THENCE RUNNING IN A SOUTHWESTERLY DIRECTION ALONG THE NORTH RIGHT OF WAY LINE OF CASCADE ROAD 250' TO AN IRON PIN FOUND ON SAID RIGHT OF WAY LINE; THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE 20.23 FEET TO A POINT AND THE TRUE POINT OF BEGINNING; THENCE RUNNING S75-00-00W, 21.34 FEET ALONG THE NORTH RIGHT OF WAY LINE OF CASCADE ROAD TO A POINT LOCATED ON SAID RIGHT OF WAY LINE; THENCE LEAVING SAID RIGHT OF WAY LINE RUNNING N23-06-40W, 80.44 FEET TO A POINT; THENCE RUNNING N27-52-31W, 133.06 FEET TO A POINT; THENCE RUNNING N36-34-55W, 95.69 FEET TO A POINT; THENCE RUNNING N75-48-05E, 20.00 FEET TO A POINT; THENCE RUNNING S32-49-18E, 87.03 FEET TO A POINT; THENCE RUNNING S28-56-54E, 135.96 FEET TO A POINT; THENCE RUNNING S27-17-10E, 85.21 FEET TO A POINT LOCATED ON THE NORTH RIGHT OF WAY LINE OF CASCADE ROAD AND THE TRUE POINT OF BEGINNING.

SAID TRACT OR PARCEL CONTAINS 0.1096 ACRES OF LAND IS MORE CLEARLY DESCRIBED ON A SURVEY PLAT PREPARED BY CHRIST SURVEYING COMPANY DATED MAY 16, 1990, REVISED JUNE 10, 1990 JOB NO. C90-019

Together with, as an appurtenance to the title to the hereinabove described property, an exclusive easement in perpetuity for pedestrian and vehicular access, ingress and egress in, to, over, across and through the following described property.

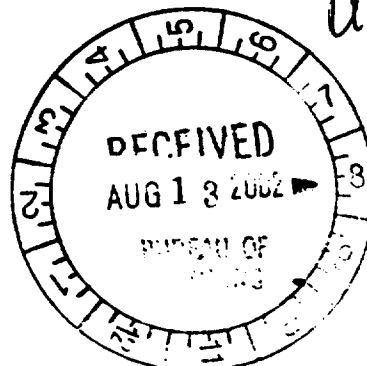


Exhibit A  
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SUBSTITUTE  
OF  
BY: Zoning Committee

U- 80-70  
Date Filed

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, as follows:

SECTION 1. Under the provisions of Chapter 25, Section 16-25001, Item \_\_\_\_\_ of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for Parking for Church to be located at 2435 Cascade Road, is granted to Hillside Chapel and Truth Center, Inc. for that tract of parcel of land lying and being in Land Lot 201 of the 14 District, Fulton County, Georgia, being more particularly described as follows:

BEGINNING at an iron pin on the northwesterly side of Cascade Road, 1272.3 feet northeasterly from the intersection of the Northwesterly side of Cascade Road and the Easterly side of Willis Mill Road; thence North 47 degrees 20 minutes West 94.0 feet to a railroad iron; thence North 40 degrees 33 minutes West 185.7 feet to an iron pin; thence North 78 degrees 14 minutes East 456.8 feet to an iron pin; thence South 20 degrees 21 minutes East 242.3 feet to an iron pin on the Northwesterly side of Cascade Road; thence southwesterly along the northwesterly side of Cascade Road 348.9 feet to an iron pin and the Point of Beginning.

SECTION 2. That this amendment is approved under the provisions of Section 16-25002 of the Zoning Ordinance of the City of Atlanta entitled "Conditional Development" and the Building Inspector shall issue a building permit only in compliance with the following conditions: NOTE: The conditional site plan hereby approved does not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Atlanta Board of Zoning Adjustment.

1. That the site be developed in accordance with a site plan entitled "Parking Lot for Hillside Chapel and Truth Center", prepared by Cavender/Kordys Assoc. Inc., marked received by Zoning Review Board 2-12-81.
2. That access to the parking lot shall be from Cascade Road only.
3. That unless a variance is granted by the Board of Zoning Adjustment, there shall be a setback of 50 feet from Cascade Road.
4. That a landscape plan for the 50 foot setback along Cascade Road shall be developed and approved by the Bureau of Planning prior to the issuance of a building permit.

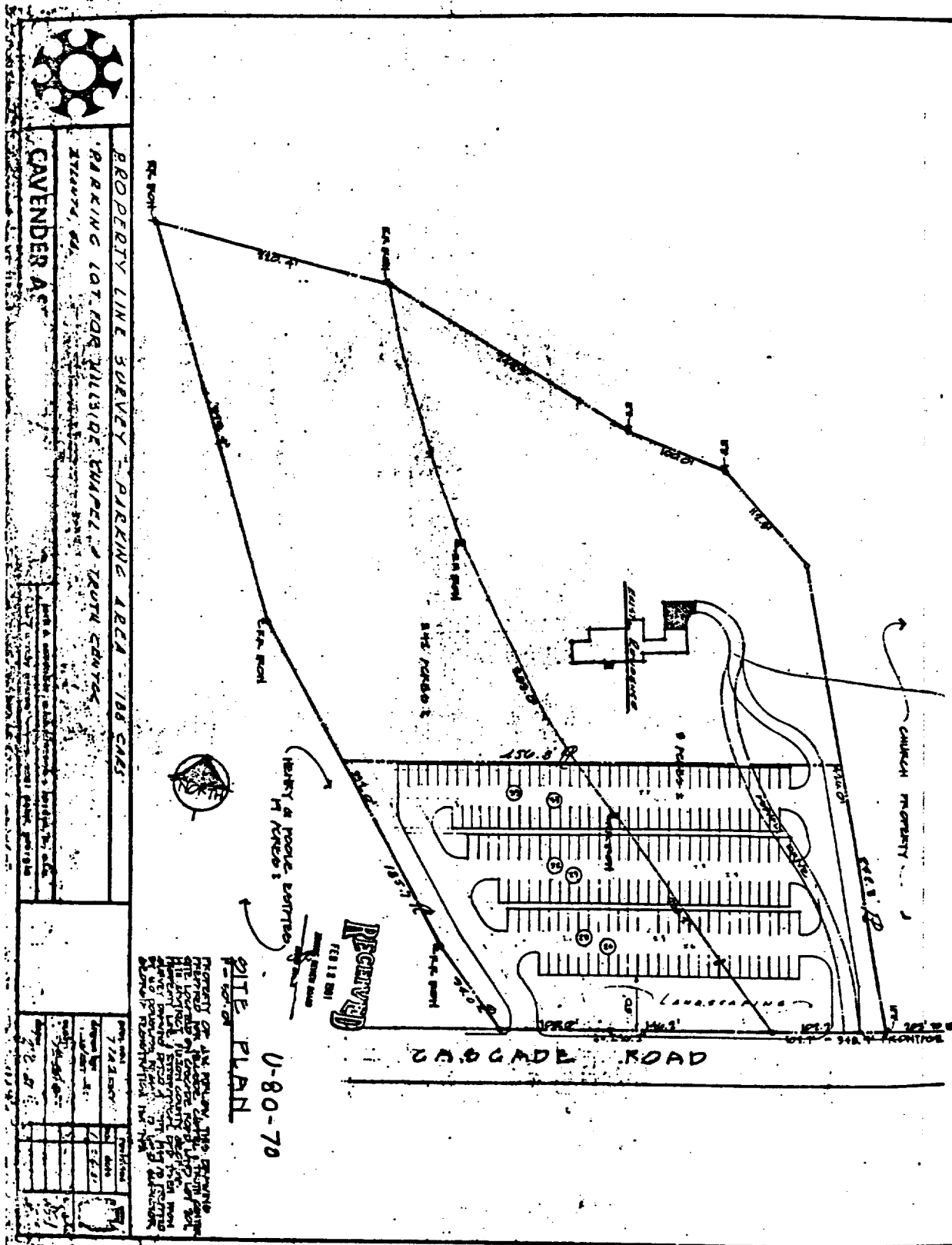
Section 3. That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

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A true copy

*James C. Bowden*  
Clerk of Council

ADOPTED by City Council Mar. 16, 1981  
APPROVED by the Mayor Mar. 21, 1981



**SUMMARY REPORT  
ZONING COMMITTEE  
SEPTEMBER 11, 2002**

<b>LEGISLATION NUMBER</b>	<b>ZONING NUMBER</b>	<b>LOCATION (NPU/CD)</b>	<b>CHANGE</b>	<b>STAFF RECOMM.</b>	<b>NPU RECOMM.</b>	<b>ZRB RECOMM.</b>
<b><u>FAVORABLE</u></b>						
02-O-0869	Z-02-29	810 Lake Avenue, NE (N-2)	I-2 to PD-MU	Approval on Condition	Approval	Favorable
02-O-1269	Z-02-54	854,856,856 (Rear), 874,878, 882,886 Ernest Street, NW (D-9)	I-2 to O-I	Approval	Approval	Favorable
02-O-0880	U-02-14	2387 Summit Avenue, NW (G-9)	Church	Approval	Approval	Favorable
02-O-1271	U-02-17	1301 Monroe Drive, NE/678 Courtenay Drive, NE/690 Courtenay Drive, NE (F-6)	Rehabilitation Center	Approval on Condition	Approval on Condition	Favorable
<b><u>FAVORABLE ON SUBSTITUTE</u></b>						
02-O-0870	Z-02-32	2230 Cascade Road, SW (R-11)	R-4 to R-LC-C*	Approval on Condition	Approval	Favorable on Substitute
02-O-0873	Z-02-35	1366 Memorial Drive, SE (O-5)	R-4A to C-1-C*	Approval on Condition	Approval on Condition	Favorable on Substitute
02-O-0875	Z-02-37	1258-1278 DeKalb Avenue, NE/Part of 1278 DeKalb Avenue, NE (N-6)	I-1-C to LW-C and I-1-C to R-5	Approval	No Recommendation	Favorable on Substitute
<b><u>FILE</u></b>						
02-O-0829	Z-02-15/Z-81-41	1126-1128-1130-1136-1146- 1156-1166 Ponce de Leon Avenue, NE (F-6)	Site Plan Amendment	File	Approval	File
02-O-1266	Z-02-38	Willis Mill Road, SW (R-11)	R-3 to PD-H	File		File
02-O-0113	U-01-56	1211-1215 Sylvan Road, SW (X-12)	Scrap Metal Processor	File		File

\*CDP Amendment required